

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

JULE TIMOTHY MCCORMICK )  
JACK LEE SMITH AND )  
TARA SMITH, )

Plaintiffs, )

vs. )

BREAK THE FLOOR PRODUCTIONS )  
LLC, AND VICTOR ESPINAL, )

Defendants. )

Cause No:

Cooper Co Cause No: 16CO-CC00044

**Defendant Demands Trial By Jury**

***SEPARATE ANSWER OF DEFENDANT  
BREAK THE FLOOR PRODUCTIONS, LLC***

Comes now defendant Break the Floor Productions, LLC and for its Answer to  
Plaintiffs' Complaint (Petition) states as follows:

1. Admit.
2. Admit.
3. Admit.
4. Deny for lack of knowledge.
5. Admit.
6. Admit.
7. Admit and further states that venue in the District is proper as Cooper County is within the District.
8. Admit.
9. Admit.
10. Admit.
11. Admit only that the tractor was owned by Ryder Truck Rental, Inc.
12. Admit.

13. Admit.
14. Admit only that a collision occurred in the westbound lanes of I-70.
15. Admit.
16. Admit.
17. No knowledge.
18. Deny.
19. Deny.

### ***COUNT I***

20. This defendant makes the same Answer to paragraphs 1-19 as it did above.
21. Admit as did any person driving on the highways of Missouri like plaintiff McCormick.
22. and a.-f. Deny.
23. Deny.
24. Deny.
25. Deny.

### ***COUNT II***

26. This defendant makes the same Answer to paragraphs 1-26 (25) as it did above.
27. Admit as did any person driving on the highways of Missouri like plaintiff McCormick.
28. and a.-f. Deny.
29. Deny.
30. Deny.
31. Deny.

### ***COUNT III***

32. This defendant makes the same Answer to paragraphs 1-31 as it did above.

33. Admit as did plaintiff McCormick.

34. and a.-f. Deny.

35. Deny.

36. Deny.

37. Deny.

#### ***COUNT IV***

38. This defendant makes the same Answer to paragraphs 1-37 as it did above.

39. Admit as did plaintiff McCormick.

40. and a.-f. Deny.

41. Deny.

42. Deny.

43. Deny.

#### ***COUNT V***

This defendant makes the same Answer to paragraphs 1-43 as it did above.

44. Deny for lack of knowledge

45. Deny for lack of knowledge.

46. Deny.

WHEREFORE, having fully answered defendant Break the Floor Productions, LLC  
prays to be dismissed with its costs.

**DEFENDANT DEMANDS TRIAL BY JURY**

/s/ Daniel T. Rabbitt

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Copy of the foregoing served via the Court's electronic filing system this 4<sup>th</sup> day of November, 2016 to Ms. Amy Collignon Gunn, Ms. Elizabeht S. Washam, Attorneys for Plaintiffs, 800 Market Street, Suite 1700, St. Louis, MO 63101 [agunn@simonlawpc.com](mailto:agunn@simonlawpc.com) and [ewasham@simonlawpc.com](mailto:ewasham@simonlawpc.com).

/s/ Daniel T. Rabbitt

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Daniel T. Rabbitt